

REMARKS

Reconsideration of the application is requested.

Claims 21-35 and 37-39 are now in the application. Claims 21-28 and 37-39 are subject to examination and claims 29-35 have been withdrawn from examination. Claims 21, 23, 27, and 38 have been amended. Claim 39 has been added. Claim 36 has been canceled.

Withdrawn claim 36 has been canceled so that no fee is required for adding new claim 39 which depends from elected claim 21.

Under the heading "Claim Objections" on page 2 of the above-identified Office Action, the Examiner objected to claim 23 because of an informality.

Applicant appreciates the indication of the informality and the typographical error has been corrected.

Under the heading "Claim Rejections – 35 USC § 103" on page 3 of the above-identified Office Action, claims 21-26, 28, and 37-38 have been rejected as being unpatentable over Japanese Publication No. 1962-1636 to Maeda in view of U.S. Patent No. 4,551,717 to Dreher under 35 U.S.C. § 103.

Support for the changes to claims 21 and 38 can be found, for example, by referring to the specification at page 6, line 9 through page 7, line 14.

Maeda teaches a switchable display apparatus in which transparent display plates 1, 4 are attached to each other as illustrated in the drawings. The transparent display plates 1, 4 are provided with display symbols 2, 5 by means of the tinted layers 3, 6, respectively, and the display-use tinted bulbs 7, 8. The colours of which are equivalent to those of the tinted layers 3, 6, in order to correspond with the display plates 1, 4.

Maeda teaches that the display includes the tinted colour layers and the tinted equivalent color bulbs. The method uses color selective filtering.

In contrast, the present invention applies a color rejection filtering method. It uses a filter that includes transparent areas and areas with absorption spectra that respectively substantially correspond to the emission spectra of the light source for different modulation values of the modulator. In consequence, the color spectrum of the filter's functional areas is a different color of the light source's emission spectra. Since the filter's functional areas can let in several emission spectra of the light source, a message can be visible in several color spectra.

Applicant believes it is clear that the invention as defined by claims 21 and 38 would not have been suggested by Maeda and Dreher because of the differences between the claimed invention and the teaching in Maeda.

Claim 25

Claim 25 specifies that each key comprises at least three superposed filters, said filters having transparent areas and areas with absorption spectra respectively corresponding substantially to emission spectra of said light source, for at least three modulation values of said modulator.

Maeda does not teach a display that includes at least three superposed filters for displaying three different symbols. Actually, the system taught in Maeda, which superposes additional filters on top of the filters, for instance, using red, green and blue tinted layers and three tinted bulbs of equivalent colour, does not provide three symbols.

To the contrary, the invention as defined by claim 25 can provide at least three different symbols by using colour rejection filtering method, as is described in the sixth embodiment of the description. Applicant believes it is clear that the invention as defined by claim 25 could not have been suggested by the teaching in Maeda in combination with that of Dreher.

Under the heading “Claim Rejections – 35 USC § 103” on page 8 of the above-identified Office Action, claim 27 has been rejected as being unpatentable over Japanese Publication No. 1962-1636 to Maeda and U.S. Patent No. 4,551,717 to Dreher and further in view of U.S. Publication No. 2004/0022047 to Okayasu under 35 U.S.C. § 103.

Applicant believes the invention as defined by claim 27 would not have been suggested by the cited prior art for the reasons given above with regard to claim 21 and the teaching in Maeda.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 21, 37, or 38. Claims 21, 37, and 38 are, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claim 21.

In view of the foregoing, reconsideration and allowance of claims 21-28 and 37-39 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

Petition for extension is herewith made. The extension fee for response within a period of one month pursuant to Section 1.136(a) in the amount of \$65.00 in accordance with Section 1.17 is enclosed herewith.

Please charge any other fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner Greenberg Stemer LLP, No. 12-1099.

Respectfully submitted,

/Mark P. Weichselbaum/
Mark P. Weichselbaum
(Reg. No. 43,248)

MPW:cgm

December 21, 2010

Lerner Greenberg Stemer LLP
P.O. Box 2480
Hollywood, Florida 33022-2480
Tel.: (954) 925-1100
Fax: (954) 925-1101